

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
WORKSHOP MEETING HELD ON MARCH 21, 2005
(Approved April 4, 2005)

The Board of Supervisors held their Workshop Meeting on Monday, March 21, 2005. Present for the meeting were supervisors Robert F. Preston, W. Atlee Rinehart, David K. Leinbach, Jay Doering, and Timothy Roland. Also, in attendance was Brady Flaharty of ARRO Consulting, Inc. Mr. Preston called the meeting to order at 7:00 p.m.

1. MINUTES

Minutes of the March 7, 2005 Monthly Meeting

Mr. Doering moved to approve the minutes of the March 7, 2005 monthly meeting as amended. Mr. Leinbach seconded the motion. The motion carried unanimously.

Amendments being under subheading, Public Comments, in the second paragraph note the Township Engineer gave some examples of what the percentage reduction in the stormwater flow is supposed to be, under subheading, Public Comments, in the fifth paragraph, first sentence change "current Solicitor will remain" to current Solicitor will continue", under subheading, Additional Items Brought to the Board, add a paragraph stating Mr. Roland noted concerns of the Oxychem remediation and requested the Board of Supervisors consider drafting a letter to Oxychem voicing concerns of a timely remediation and Mr. Preston stated it may be best to wait for the remediation plan.

2. PUBLIC COMMENTS

Mrs. Jane Frederick presented a 2-page letter depicting the timeline of the Walley-Frederick Tract project to assist the two new Board members.

Mrs. Gail Brown asked when the final draft of the Zoning Ordinance will be complete and when will the public become involved. Mr. Preston noted the Ordinance would be advertised for a 45-day review period as required by the MPC. Mr. Preston noted written comments would be solicited from the public. It was noted that all of the Zoning Meetings are public and input is welcomed.

3. REPORTS

Reports from Various Departments and Committees

The reports from various departments and committees were reviewed.

Mr. Leinbach stated that any and all revenues for all committees and commissions are put into the General Fund and all expenses come from the General Fund and committees and commissions do not stand, nor are they expected to stand on their own financial footing. Mr. Leinbach requested a letter be sent to the Historical Commission explaining the financials and revenues in regards to township committees and commissions.

Mr. Rinehart moved to authorize the Public Works Supervisor to attend the Pennsylvania Mobility Plan Program. Mr. Roland seconded the motion. The motion carried unanimously.

Mr. Doering moved to delay action on the Custer violation for thirty (30) days. Mr. Rinehart seconded the motion. The motion carried unanimously.

Mr. Rinehart moved to accept the EDM Consultants memo dated February 17, 2005. Mr. Leinbach seconded the motion. The motion carried unanimously.

There was a brief discussion regarding the sewer extension project. The Township Manager noted the preliminary plan design for North Coventry's sewage plant extension is 50% complete. Mr. Leinbach asked that this information be obtained in writing.

Mr. Leinbach moved to approve the reports from various departments and committees. Mr. Doering seconded the motion. The motion carried unanimously.

Fund Balances Report

Fund	Checking	Money Market	CDs	Total
General	\$11,936.39	\$210,793.67		\$222,730.06
Capital Reserve		\$1,003.65		\$1,003.65
Highway Aid	\$10,695.14	\$6,846.27		\$17,541.41
Sanitary Sewer	\$454.11	\$431.69		\$885.80
Phase I Sewer Escrow		\$75.53		\$75.53
Traffic Impact Fee Fund	\$1,000.00	\$19,002.38		\$20,002.38
Police Safety	\$1,920.10			\$1,920.10
TOTAL				\$264,158.93

Contexant Water Users Fund

\$42.63

Mr. Leinbach questioned when the Capital Reserve and Traffic Impact Funds were going to be funded to their proper amounts. The Township Manager stated that would take place in the next few months. The Traffic Impact Fees will be taken out of the \$1M loan.

Mr. Leinbach moved to approve the fund balances report. Mr. Doering seconded the motion. The motion carried unanimously.

4. OTHER BUSINESS

Parks and Recreation Committee

Mr. Leinbach moved to appoint Michael LaPorta, Jr. to the Parks and Recreation Committee. Mr. Doering seconded the motion. The motion carried unanimously. Mr. LaPorta was present and accepted the appointment.

Creekview Pumping Station

Mr. Leinbach moved to authorize signing of the application for water quality management permit form. Mr. Roland seconded the motion. The motion carried unanimously.

5. DISCUSSION ITEMS

Fricks Locks Lease Agreement

Mr. Leinbach moved to table discussion of the Fricks Locks lease agreement due to the absence of the Township Solicitor. Mr. Leinbach requested a letter be sent to Mr. Sanborn of PECO and obtain contact information so the township may resolve the lease agreement issues.

North Coventry Municipal Authority

Mr. Leinbach moved to authorize the Township Manager to send a letter to the North Coventry Municipal Authority giving permission to allow the sewer hook-up of the resident at 821 Vaughn as requested in Yergey, Daylor, Allebach, Scheffey and Picardi's letter dated March 3, 2005 as a customer of North Coventry Municipal Authority and as long as it does not count against East Coventry Township's EDUs. Mr. Rinehart seconded the motion. The motion carried unanimously. Mr. Preston requested he review the letter before it is sent.

Notification of Development Ordinance

There was a brief review of the draft notification of development ordinance. The Board of Supervisors noted the sign permit fee would be waived for these signs. The ordinance will be advertised two times for ten days, as required by the MPC, and would be adopted at the May 16, 2005 workshop meeting.

Peterman Road Traffic Improvements

Mr. Jeff Bailey and Ms. Denise Bologna of Hanover Engineering presented an update of the Peterman Road traffic improvements project. Mr. Bailey noted the design is 65-75% complete. Mr. Leinbach asked if the concrete sidewalk is in the ultimate right-of-way. Mr. Bailey noted they are still determining that and Mr. Leinbach suggested if not they may consider crossing back across Peterman Road.

Mr. Leinbach moved to authorize the Township Manager to send a letter to Congressman Gerlach regarding federal monies for road improvements. Mr. Rinehart seconded the motion. The motion carried unanimously.

6. PAYMENT OF BILLS

Mr. Preston recommended the auditors come at the end of the first quarter and offer direction.

Mr. Leinbach referenced the vote that took place regarding Gordon Walker's payment and noted that abstaining from a vote does not alleviate the requirements of the majority of the Board of Supervisors in accordance with Section 603 of the Municipalities Planning Code. Mr. Leinbach recommended a legal opinion be obtained from PSATs or the Chairman may call for a revote. Mr. Leinbach noted Mr. Walker's payment was on a contingency fee basis. Mr. Preston noted he felt the work was performed by Mr. Walker. A heated discussion ensued between Mr. Preston and Mr. Leinbach regarding the issues surrounding Mr. Walker's payment.

Mr. Leinbach moved to authorize the Township Manager to obtain a legal opinion from PSATs regarding Article 6, Section 603 of the Township Code in regards to the majority

vote, especially in regards to individuals abstaining from the vote. Mr. Preston requested all the history be reported to PSATs noting the two members abstaining were not on the three-member board when all the original decisions were made surrounding Gordon Walker's assistance with the \$1M loan.

Mr. Doering moved to hold the Gordon Walker bill until a legal determination is obtained. Mr. Roland seconded the motion. The motion carried unanimously.

Mr. Preston stated Heritage Building Group has appealed Solicitor's fees and the Solicitor charged time to the developer to investigate the appeal. It was noted such charges are not valid. Those charges are to be removed from the Solicitor's payment. Mr. Preston requested the Township Solicitor make the billable hours clear on the invoices.

Mr. Leinbach moved to approve the bills less the Gordon Walker \$14,000 check and pay John A. Koury, Jr.'s bill less the 1.8 hours in question. Mr. Doering seconded the motion. The motion carried unanimously.

7. ADDITIONAL ITEMS BROUGHT TO THE BOARD

Mr. Roland will use the two tickets for the Ridge Fire Company dinner.

Mr. Preston requested the Township Solicitor change 'reappointed' to 'continued' in the Solicitor's retainer letter.

Mr. Roland stated he would provide more information and a draft letter regarding the Oxychem remediation at the April 4, 2005 monthly meeting.

Mr. Doering asked how long Ellis Woods Road would be closed and Mr. Preston noted the developers have to mill the road and do a full road overlay.

Mr. Preston noted the need for an additional alternate Zoning Hearing Board Member and alternate Solicitor. Mr. Preston noted concerns of Mr. Kerchner's procedures such as leading the witness. Mr. Leinbach suggested the Board of Supervisors speak to Mr. Lane Daylor, Zoning Hearing Board Solicitor, and Zoning Hearing Board in executive session regarding the alternate Zoning Hearing Board Solicitor issue. Mr. Leinbach moved to authorize the Township Manager to send a letter to Mr. Kerchner from the Board of Supervisors expressing the concerns that Mr. Preston had observed at the Longstreth hearing. Mr. Rinehart seconded the motion. The motion carried unanimously.

Mr. Doering moved to sign the Barndt sewage facilities planning module for submission to the PADEP. Mr. Leinbach seconded the motion. The motion carried unanimously.

Mr. Doering moved to authorize a \$100,000 draw on the \$1M loan. Mr. Leinbach seconded the motion. The motion carried unanimously.

The Township Manager noted a deck permit, to enclose a porch, which was denied by the Code Enforcement Officer and would require a Zoning Hearing because of the location of the

existing deck. The Board of Supervisors noted they would support the applicant if they appealed to the Zoning Hearing Board and send a letter of support stating that this is being amended in the Zoning Ordinance.

8. ADJOURNMENT

Mr. Leinbach moved to adjourn the monthly meeting at 9:30 p.m. Mr. Roland seconded the motion. The motion carried unanimously.

Respectfully submitted,

David K. Leinbach
Township Secretary